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September 28, 2000

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Box CPA  
Commissioner for Patents  
Washington, D.C. 20231

Re: Attorney Docket No.: SALK2190

This paper is a request for a continued prosecution application under 37 C.F.R. 1.53(d) of:

Applicant: Stephen O'Gorman and Geoffrey Wahl  
Title: SITE-SPECIFIC RECOMBINATION IN EUKARYOTES AND CONSTRUCTS USEFUL THEREFOR  
Prior U.S. application no.: 08/919,501  
Filing date: August 28, 1997

The prior application was complete as defined by 37 C.F.R. 1.51(b), or was a national stage of an international application filed in compliance with 35 U.S.C. § 371.

This request for a CPA is the reference to the prior application noted above as required by 35 U.S.C. § 120. Kindly abandon the prior application in favor of the continued proceedings that are requested herein. Applicants file this request for CPA in order to present additional claim amendments and related remarks in a Preliminary Amendment for consideration by the Examiner.

The prior application is assigned of record to The Salk Institute for Biological Studies, by virtue of an Assignment submitted to the Patent and Trademark Office for recording on February 23, 1998 at reel/frame 9048/0901.

10/03/2000 AGDITDM 00000085 08919501

01 FC:231 345.00 OP  
02 FC:202 39.00 OP  
03 FC:203 126.00 OP

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Date of Deposit September 28, 2000

I hereby certify under 37 CFR 1.10 that this correspondence is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" with sufficient postage on the date indicated above and is addressed to the Commissioner for Patents, Washington, D.C. 20231

Yinia Najar

**Gray Cary Ware & Freidenrich LLP**

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This request includes 3 sheets, and the following:

- Preliminary Amendment;
- Petition for 5 Month Extension of Time; and
- Return Receipt Postcard.

The entire disclosure of the prior application is considered as being part of the disclosure of accompanying application and is incorporated by reference.

This application is entitled to small entity status. Small entity status from a previous application is still proper. Fees are being paid herein at a small entity rate.

Basic filing fee	345.00
Total claims in excess of 20 (14) times \$9.00	126.00
Independent claims in excess of 3 times \$39.00	39.00
Multiple dependent claims	0.00
Total filing fee:	510.00

A check in the TOTAL amount of \$1,435.00 of which \$510.00 for the filing fee and \$925.00 for the 5-Month Extension of Time is enclosed. Please apply any other required fees or any credits to deposit account 07-1895, referencing the attorney docket number shown above.

If this application is found to be INCOMPLETE, or if a telephone conference would otherwise be helpful, please call the undersigned at 858-677-1409.

**Gray Cary Ware & Freidenrich LLP**

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Kindly acknowledge receipt of this application by returning the enclosed postcard.

Please send all correspondence to:

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Respectfully submitted,

**Gray Cary Ware & Freidenrich LLP**

June M. Learn  
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Sept 28, 2000  
Date

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Enclosures

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